

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**CHIMNEY INVESTMENTS, LTD.,**

**Plaintiff,**

**v.**

**AMERICAN DRIVELINE CENTERS,  
INC., JEFFREY YOE, and SCOTT  
AQUINO**

**Defendants.**

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**CIVIL ACTION NO. 4:14cv-01664**

**STATEMENT IN REMOVED CASES**

1. The date(s) on which defendant(s) or their representative(s) first received a copy of the summons and complaint in the removed state court action. If different, the date on which each defendant was served with a copy of the summons and complaint.

**Defendant American Driveline Centers, Inc. was served with process on May 16, 2014. It had not previously received a copy of the citation and petition.**

2. In actions removed pursuant to the court's diversity jurisdiction, list the citizenship of all parties (including the citizenship of each member of a partnership or other type of business association). Specifically identify whether any defendants who have been served are citizens of Texas.

<b>Chimney Investments, Ltd.</b>	<b>Texas</b>
<b>American Driveline Centers, Inc.</b>	<b>Pennsylvania (state of incorporation &amp; state where principal place of business is located)<sup>1</sup></b>
<b>Jeffrey Yoe</b>	<b>Oklahoma</b>
<b>Scott Aquino</b>	<b>Oklahoma</b>

**Defendants are not citizens of Texas.**

3. In actions removed based on diversity jurisdiction, the amount alleged to be in controversy and the basis for this amount.

<sup>1</sup>Pursuant to 28 U.S.C. § 1332(c)(1), the citizenship of a corporation is determined to include (1) every U.S. state and foreign state where it is incorporated; and (2) the U.S. state or foreign state where it has its principal place of business. 28 U.S.C. § 1332(c)(1) (2014).

**According to Plaintiff's petition filed in the State Court Action, Plaintiff seeks more than \$200,000 but not in excess of \$1,000,000 in damages.**

4. In actions removed based on diversity jurisdiction pending more than one year in state court, specify why the case should not be summarily remanded.

**Not applicable.**

5. Identify any defendant that did not join in the notice of removal and explain why.

**Not applicable; counsel for the other two Defendants signed a Notice of Consent to Removal which was filed on June 13, 2014 as Exhibit E to the Notice of Removal.**

Respectfully submitted,

**CHERRY PETERSEN LANDRY ALBERT LLP**

By: /s/ Craig A. Albert

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**ATTORNEYS FOR DEFENDANT  
AMERICAN DRIVELINE CENTERS, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that on July 11, 2014, I electronically filed the foregoing document with the Clerk of Court for the U.S. District Court, Southern District of Texas, using the CM/ECF system of the Court.

/s/ Craig A. Albert  
Craig A. Albert